REMARKS

In the Office Action mailed August 5, 2009, claim 1 was rejected under 35 U.S.C. § 102(b) over *JP 2002-182784*; and claims 2-8 were rejected under 35 U.S.C. § 103(a) over *JP 2002-182784* in view of *JP 2002-124226*.

By this Amendment, Applicant has amended claims 1, 2, 5, and 8. Upon entry of this Amendment, claims 1-8 are pending. Of these, claim 1 is the sole independent claim. The originally-filed specification and drawings fully support the amendment to claims 1, 2, 5, and 8. Accordingly, no new matter has been introduced by this Reply.

Applicant respectfully traverses the rejection of claim 1 under 35 U.S.C. § 102(b) over *JP 2002-182784*. Applicant respectfully submits that claim 1 is patentably distinguishable over the cited references for at least the reasons described below.

Anticipation under § 102 requires that all of the limitations of a claim be disclosed, expressly or inherently, in a single prior art reference. M.P.E.P. § 2131. "The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." M.P.E.P. § 2141(III). A proper *prima facie* case of obviousness requires, *inter alia*, that all claim limitations must be considered when judging the patentability of a claim against the prior art. M.P.E.P. § 2143.03.

Currently amended claim 1 recites, among other things, an information processing apparatus comprising "a battery pack having a battery case and a battery cell housed in a battery housing case of the battery case; and a board placement

Customer No. 22,852 Attorney Docket No. 09812.0080-00000 Application No. 10/578,367

section slightly projecting from a battery housing section of the battery pack and forming a recess section, wherein the operation section is arranged to fit the recess section."

 $j_{\mathbf{k}}$

 $\mathcal{Z}_{\mathcal{F}}$

and 71, and a group of switches 34a-d for operating a DVD-ROM device, where the loudspeakers 70 and 71 and the switches 34a-d can be exchanged. However, JP 2002-182784 does not disclose or suggest "a battery pack having a battery case and a battery cell housed in a battery housing case of the battery case; and a board placement section slightly projecting from a battery housing section of the battery pack and forming a recess section, wherein the operation section is arranged to fit the recess section," as recited in claim 1. JP 2002-182784 does not disclose all of the limitations of claim 1, and therefore does not anticipate claim 1. Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection of claim 1 be withdrawn.

Applicant respectfully traverses the rejection of claims 2-8 under 35 U.S.C. § 103(a) over *JP 2002-182784* in view of *JP 2002-124226*. Applicant respectfully submits that claims 2-8 are patentably distinguishable over the cited references for at least the reasons described below.

JP 2002-124226 discloses an electronic device having a lithium ion secondary battery pack 8 that is replaceable with a dry battery pack, so that the electronic device may operate for an extended amount of time without obstructing miniaturization of the electronic device. However, JP 2002-124226 does not disclose or suggest "a battery pack having a battery case and a battery cell housed in a battery housing case of the battery case; and a board placement section slightly projecting from a battery housing section of the battery pack and forming a recess section, wherein the operation section

Customer No. 22,852 Attorney Docket No. 09812.0080-00000 Application No. 10/578,367

is arranged to fit the recess section," as recited in claim 1, and therefore does not cure

the deficiencies of JP 2002-182784.

JP 2002-182784 and JP 2002-124226, either alone or in combination, do not

disclose or suggest each and every element of independent claim 1, and therefore do

not establish a prima facie case of obviousness of claim 1. Claims 2-8 depend from

independent claim 1, and are therefore patentable for at least all of the same reasons

that independent claim 1 is patentable. Applicant respectfully requests that the

35 U.S.C. § 103(a) rejection of claims 2-8 be withdrawn.

The Office Action contains characterizations of the claims and the related art with

which Applicant does not necessarily agree. Unless expressly noted otherwise,

Applicant declines to subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicant respectfully

requests reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

Dated: November 3, 2009

Stephen L. Keefe

Reg. No. 61,100

(202) 408-4271

-7-